Vol I

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THE ROYAL LINE

ACCOUNT BOOKS

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Let. Feb. 13, 1982

This is the second volum of my journal of my experiences with the U.S. Supreme Court. My first volume began on ~~Mar~~ March 26 1980. The last entry made Feb 4, 1982. Discussed conversation I had with Justice Boyd about the upcoming election for Chief Justice.

The reporter I spoke to (Terry Lipman) did write an article which was published in the Orlando Sentinel. ~~Sentinel~~ It contains three contenders: Boyd, Alkin and Aldermen. The article stated the source close to the court (I was one of them) stated that Boyd has felt hurt about being passed over. I was worried about how J. Boyd would respond to that statement.

I went up to talk to him about a case on Tuesday morning. He was going over his notes of the previous day's conference with him. At one point he talked about going to the correct party for legislation the night before + how surprised he was about the number of them that came over and lauded his opinion on the Frank-Bush amendment. He then said that the three of us

about you a few pics called Guys, Dears, Wonderful + Cheesecake + how the game found on its ear. He was kidding at his own credit. He said he told the jokes in confidence but no one laughed. Jim did + laugh + seemed offended. I chuckled to humor J. Boyd.

Boyd then asked if he talked to me about Barbara Frye's (reporter for Democrat) calling him. Said she was asking question about the election. He told her he felt like an old bone which a dog (the newspaper) likes to chew on and then buries. Then the dog will some day begin to think about that, go dig it up + chew on it again. So it was that he felt vindicated by the last election.

He then told me that Lacy's editorial was me. I told him I had read it. He didn't refer to the statement about his perhaps being hurt. He seemed pleased that in his view Eggman was way off base. Boyd said he liked to think he had good political instincts and that he wished Overton had run as a major contender.

After I got back from lunch, J. Boyd called + asked if I would join him for lunch. I explained I had already eaten but that I would be glad to accompany him. We went to the lower level in the Capitol.

Boyd again got to talking about the election. I told him I went to the library to get yesterday's paper to cut out the article, but that Brian (the librarian) told me J. McDonald had taken it the night before. This seemed to confirm J. Boyd's suspicion that something underfoot was up.

He gave some more examples of why Alderman wasn't too popular with the other pictures. He said that in confidence J. Overton had expressed some concern about the new standards for bar admissions, that sixty some odd per cent are passing for the first time as opposed to eighty some odd percent in the past. Alderman made some remark about Overton's lack of knowledge in the fields of statistics + that he had more faith in Professor Clio's analysis than he did in Overton. Boyd said

Alderman raised the point 3 or 4 times during the conference.

Boyd also said that Alderman once yelled at Overton in the hall, "that he often calls those who disagree with him stupid."

When we left, we had to wait by the door as there was a tremendous downpour. A woman came up named Kathleen Peck & J. Boyd struck up a conversation with her. She talks about the weather, T.S.U. asked what she did. She is a nurse with strangers. Most regular folks take an interest & liking to him.

Sunday Feb. 21

Last Monday afternoon J. Boyd again brought up the subject of Alderman's dispute with Overton over admission standards. Boyd reiterated that Alderman asked Overton if he were a computer programmer specialist, a mathematician, or statistician, and implied that Overton was stupid in trying to analyze the admission percentages in order to question the new admission standards.

Boyd mentioned that Overton has a son who had a hard time getting into law school and who he now flunked the bar exam. This insight resolved my puzzlement over Overton's dispute, as he comes across as the pompous stickler type.

I wonder now but months ago when Boyd first mentioned the dispute, he asked me who I thought would be against imposing the more stringent standards, I believe I said adding Boyd + myself, McDonald but I knew I was very unpopular with Boyd till me it was Overton who seemed most concerned.

On Tuesday I watched Pres. Reagan's press conference with Boyd in his office. After it was over he + Nancy began talking about how [redacted] he seemed to be doing a better job than the so-called "smart" people. Boyd launched into his description of a smart person, "You take what a person starts with [redacted] when he enters this world and compare it to what he has when he leaves." He then gave a long example comparing

someone who is born poor, with no family heritage, but who works hard, saves + invests his money until he has acquired substantial wealth + compared him to someone who is born in a well to do family, studies a lot + becomes an academician, implying that smartness is measured by the accumulation of wealth.

Thurs. Feb. 25, 1982

Yesterday I had a conversation with Rick Whitworth, the DWI co-ordinator. He asked me if I knew anything more about the Chief Justice election. He told me that when he asked Adkins about it, Adkins didn't want to say anything about it. Rick did see Adkins + McDonald leave the building ~~together~~ joking together. Adkins told Rick that he + McDonald were "buddies."

Rick then proceeded to tell me about the history of his position. When he was C.J., Adkins ~~had his executive assistant~~ appointed a friend of his (Mr. Sullivan I believe) as executive assistant and had him devote all his time to administering an alternative sentencing program for convicted DWI drivers. The position ended when Justice Overton became C.J., but was established as a separate position when Eagleton was C.J. Adkins was allowed to oversee the project + appoint Rick as the administrator even though the position was under the auspices of the Chief Justice's Office.

Meanwhile the program came under criticism from the legislative branch which didn't like the idea of the Chief Justice using funds for a program which belongs to ~~probation~~ parole + probation commission. At one point, they cut off the funding. (Originally the program had been funded by a federal grant and when that ran out was funded by the Jr. Ct's budget.)

Adkins went to a Senator + had the program established ~~as a matter~~ by statute. It technically comes under the State Courts Administrator, though in fact Adkins is the person who oversees it.

It occurred to me that it may be a point of interest as to what kind of cars the justices drive.

Allen + Boyd like big luxury cars + they drive cadillacs. Lindley has a yellow sports car, a TR6 Triumph. I once heard the women working in the [illegible] office wonder how he fit his 6'4" frame into such a small car.

Carter goes for the economy cars in a big way. Recently he's been trying to work with his son Robby, a pilot, now Volvo, (next door) Tim Durell drives a blue [illegible] Ford is usually covered with mud ~~[illegible]~~ from the dirt road on which he lives.

Alderman rides to work with his wife Dottie Davis. I don't know what kind of car he has.

Shields drives an old Oldsmobile, but has a Yale Boy State sticker on the back bumper. He used to run a sticker saying people to vote Republican as for Congressman, but recently has removed.

Sunday March 7

Friday morning, I ran into J. Boyd in the parking lot, so accompanied him to his office. I told him that the stipulation had been filed in the Chapman v. Dillon, case which concerns the constitutionality of Ala's no-fault insurance law. When I got the file, I realized that it wasn't a stipulation but a motion to remand that had been filed by the appellee. Apparently the appellant was claiming there was no agreement to settle. J. Boyd said to get the opinion out as quickly as possible reversing the D.C.A.'s decision and that he would bring the motion up with the other judges.

~~[illegible]~~ He asked me if I had noticed J. Alderman's joining the other judges for lunch, hinting that J. Alderman was making efforts to get along in his quest for the Chief Justiceship. I told him that I had noticed, one day this week, J. Alderman going to lunch with the other justices. (My office window looks ~~[illegible]~~ to the front Capitol steps across the street.) Boyd said that when he came, J. Lindley asked him why he was there as he did. It usually is then. Alderman said he would

be eating lunch at the court in the future; indicating this wasn't a permanent change. Boyd said Alderman ate his lunch with Justice Ehrlich one day in the basement of the library. Boyd said Alderman is also walking around with his coat on, to affect a more casual appearance.

Tuesday March 12

This morning J. Boyd called me to relate this story about J. Thomas

"Justice Thomas + Justice Thornell once took a trip to Washington D.C. As they walked up the steps to the Capitol, they were accosted by a stranger. The man grabbed J Thomas' hand to shake and said "Well if it isn't Justice Ferrell, why I'd recognize you anywhere. You're one of the finest justices to ever serve on the Supreme Court of Florida."

Justice Thomas, who could be very abrupt and gruff, curtly informed the man that he was Justice Thomas not Justice Ferrell.

The man apologized and went on to affirm that he was a Republican running for Congress.

Thomas replied, "That's another reason not to vote for you."

This afternoon Jim gave me the finalized draft of the Chapman v Dillon case to proofread. It is basically the same draft I had finished last Monday.

Sunday March 21

Last Thursday, the Court issued the opinion in Chapman v Dillon upholding the const. of the no-fault law. The opinion was entirely my own. I felt really pleased.

Sunday March 28

I've had the flu most of the week. Felt weak on Monday + stayed home on Tuesday. Went to work Wednesday. J. Boyd asked me to lunch. As we left the building, I asked him if anything had been mentioned about the Chief Justiceship. He said that the week before at conference, J. Handley said that they should wait for the legislature session to end.

The session did end last week, but was extended for 11 days. The House opposes Chiles but Gov. Graham called a special 30 day session for reapportionment. The court heard arguments yesterday + ruled that the Gov. had to call for at least a 30 day session.

Anyway as J. Boyd + I crossed the ... we ran into Tom Moore at the steps of Capitol. J. Boyd asked him to join us. ... we ran into John Mackenzie, a ... cousin of Anne Boyd's, who is ... to Law School in Washington D.C. ... asked him to join us. J. Boyd ... my + Tom's lunches. Would ... pick for John's steps. John ... him in line + got to ask Myerle ...

That afternoon Thurston Williams ... his family up to see his being ... into the bar by Justice Boyd.

Yesterday morning J. Boyd called me ... to see how I was doing + ask ... me anything ~~I could do for him~~. ... could do for me.

Today April 10

Dear Beverley J. Boyd asked me to join ... for lunch. When he came by my office he ... Mr. Atkins would be joining us. We went ... and ran on 10th floor of Capitol. ... brought up the subject of the court's decision that the Gov. couldn't call a special session in reapportionment for less than 30 days. They agreed that J. McDonald felt very uncomfortable voting against the governor. Atkins said there was a close connection between J. McDonald + his wife + Lt. Gov. Nelson + his wife, and that it was Nelson's influence that helped J. McDonald land the job. J. Atkins asked J. Boyd if he had seen McDonald's comments on a circuit[illegible] opinion. Atkins said McDonald had ~~written~~ begun by writing "Horsefeathers" and said "Now isn't that a stupid comment to make. One of my aids came in to show me it + said can you believe he said this." Atkins made some comment about McDonald lacking intelligence. He said that once the court was deciding whether to accept jurisdiction on a certain case to issue a writ of mandamus or prohibition, + that McDonald had suggested quo warranto which was absolutely irrelevant.

At some point both Justices got to talking about their W.W. II experiences. J. Boyd mentions how he was in Nagasaki

not a few weeks after the A-bomb had been dropped. He was surprised at the friendliness of the reception.

J. Adkins said he spent the whole time in the Ozarks training for the invasion of Japan. He explains how they are trained to enter a building + machine gun down everybody in sight, even mothers with little babies. He said that's what got him about the Lt. Calley case, that Lt. Calley just did what he'd probably been trained to do.

April 15, Thursday -

Yesterday I went upstairs and found J. Boyd talking with Nancy + Jim. J. Boyd invited me in + he continued discoursing about the conference, Bill Fowler etc. and organized. He said Lindley had come to his office + asked him when they should hold the election for chief justice. J. Boyd said he told Lindley that he had no expectation of becoming Chief Justice as he'd heard that some justices had said they would never vote for him in a 1,000 years. Boyd explained that he wouldn't want to head divisive Court. He concluded by saying "I probably blew our chances of getting the Chief Justiceship."

He then asked if I wanted to join him while he went to pay for some beds, so I did. He drove to Williamson Furniture Co. on corner of McCord + Brevard, he told me, quite confidentially, that he had been accepted to the New York Bar + that he would be going up in a couple of months to be sworn in. He said he had told Lindley that despite his upcoming years age, he has subsequently been admitted to two bars.

This statement made me realize why J. Boyd is so interested in joining other bars. It's an outward validation that he was unjustly disqualified.

At the store he talks to a salesman about 2 sets of twin beds + king size bed he was purchasing for his home at Shell Point. J. Boyd got knelt down by a coffee table to draw a diagram of the home plan for the truck driver.

He then explained to the salesman about when a swamp he had purchased from Ann a couple of years before had broken loose.

Today Barbara Yates (J. McDonald's record aid) came into my office to talk about an office party we're planning on having at J Boyd's Chelsea Court home. I asked her what she had heard about the election for Chief Justice. She believes as I do that Justice Allen has the best chance, but she said, it was hard to imagine his secretary Jan being head of the secretarial staff. Jan has a reputation for being obstinate + lazy. Barbara said she overheard J McDonald talk to his secretary about the possibility.

Barbara said nobody wanted to give it to J. Alderman because he's such a "wimp". He said he had no social graces and write very acidic comments about the other judge's opinions. She said "Could you see him trying to deal with the legislature. They'd cut the Supreme Court budget in half."

Barbara then told me that J. Sundberg may be resigning ~~[illegible]~~ when his term as Chief Justice is over. We had been talking about the aides who would be leaving this summer. They include Bill Boyd, Charles Catizone, ~~[illegible]~~ (?) Ca

Morton Brotz (?), Ted Eastman + all 3 of Lundley's aides Jane Plagmen, Pat Leary + Fred Vaccher. But Lundley has not made any decisions or interviews anybody to replace his aides is what has given rise to speculation of his leaving.

Friday April 23, 1982

Today I had a talk with J. Boyd about the election for Chief Justice. Last Tuesday he told me that Lundley announced at conference that election would be right Monday. Boyd is in quite a tizzy about it even though he claims he doesn't care.

He was telling me that he was planning on nominating Justice Allen + in the alternative Justice Alderman. He was debating ~~[illegible]~~ whether he should say anything about himself + why he's been passed over.

He believes J. McDonald will get it. He says McDonald will serve as Overton's puppet, and that Overton would really be running the show.

Monday, April 26, 1982

Today Justin Alderman was elected Chief Justice. J. Boyd told me that J. Adkins came in his office that morning to explain that J. Sandbag had told Adkins that J. Overton was going to nominate J. Alderman. He did this presumably to let him & J. Adkins know beforehand that he wasn't going to get it.

At conference J. Sandbag departed from protocol. Instead of asking J. Adkins if he had any nominations for Chief Justice, he asked "Does anyone have any nominations?" Overton said "I nominate J. Alderman." After a pause, J. Sandbag asked J. Adkins if he had any nominations. J. Adkins said "I don't see where it'd make any difference. The matter is cut & dried."

Sandbag asked Boyd if he had any remarks. Boyd said "The succession for Chief Justice has been established since 1976. It's Alderman's turn now."

After all the justices agreed to Alderman as their choice, Boyd moved that it be unanimous.

Boyd then told me that he when he was walking back from lunch with Justice Adkins & Alderman, he told Alderman that J. Overton had been running the court since his first year. That Overton tries to accept power from Chief Justice Adkins, isn't that right Adkins?"

J. Adkins agreed, and said that he stood up to Overton.

They warned Alderman, that Overton would be coming in his office constantly telling him what to do.

After Boyd finished telling me this, Nancy came in. Boyd repeated the story, then Jim came in (back from lunch) & Boyd told the story a third time.

Then J. Adkins came in & Boyd explained to him that he was just telling us about what he had told Alderman on the way back from lunch. Adkins laughed and said "You are planting a seed. Now you know what I am thinking about to help that seed grow? I think I'll go have a chat with J. Overton and tell him that since Alderman is so young & new about this, he should go tell him how to do things."

He slapped his thigh + laughed.

He then proceeded to tell us a story of how he had done something similar. Adkins said that when the constitutional revision commission was being formed, he + J. Karl wanted Marvin (?), a conservative, to be appointed. They then heard that C.J. Overton was planning on appointing J. England who was anxious to be the secretary + rewrite the constitution. Adkins said he went + told Overton that there was a lot of dissension and that there was only one person big enough + respected enough by all the judges across the state and that was Overton. He said you could just see Overton swelling up.

Overton then left to see J. Karl. Adkins said Karl called him a few minutes later and said "Overton was just in here + I told him that he should appoint himself, otherwise people wouldn't believe the rumors that England was really running the court."

At conference, Adkins said England was sitting there expecting to be appointed and that he was really surprised when Overton came in and said he was going to nominate himself.

Wednesday, May 12, 1982

I got back from a 2 week vacation last night. I visited my Dad in Oklahoma + my Mom in Tampa.

First thing this morning I interviewed Wade Hopping about Justice Ferrell for Gov. Graham's Oral history project. Hopping said he was J. Hobson's aide from '58 to '60 + J. Ferrell's aide from '62 to '64 when Ferrell died.

He acknowledged that J. Hobson was living with another woman the time he was in Tallahassee + that all the other justices' socially disapproved.

Friday May 14

Yesterday J. Boyd took Nancy + I to the Lion's club luncheon held at the Elks' Lodge on Magnolia St. J. Adkins was presenting a woman named Nancy Jones who was convicted of 2nd degree murder of her husband. She spoke about what life inside prison was like.

Tuesday, May 18, 1982

Yesterday I went to dinner at the Governor's Mansion for Oral History Night in honor of Justice Glenn Ferrell. I arrived at about same time as Justice & Mrs. Alderman and Dittie Davis. We were among the first to arrive. After entering the house, & getting a glass of Champagne, we went out to the patio.

A few minutes later Justice Irwin & his wife came out. Dittie introduced him to Justice Alderman. Irwin said Dittie had written good opinions while working for Justice Robert & Alderman was lucky to have her. Alderman didn't smile or seem amused. He was coldly cordial as usual.

Dittie then introduced Justice Irwin to me. I explained I was working on a history project & he immediately began reminiscing about past justices. He said he remembered Justice Taylor riding around his buggy pulled by a single horse, & losing his temper on the golf course. He finished his champagne & soon stepped to get the servant (or waiter) to fill his glass, & get a glass for Allen Morris who had joined us. Irwin was a really friendly, talkative & open person. I immediately liked him.

Soon I was called away to have my picture taken with Governor & Mrs. Graham and other interviewers. I then talked with Brian Tolly & looked around. Justice McDonald, Creaton, & Ehrlich & their wives had come. Justice Sandlers hadn't come, but his wife Barbara, one of the interviewers, was there. Mr. Collins & his wife, Malcolm Johnson, Justice Steve O'Connell

Mrs. Ferrell and her daughter, Doris & son Glenn were also there.

The dinner was pretty good except that the shrimp was overcooked & mushy. They served California Cellars Riesling.

The groaches was flowery allegria with little enbotones

Friday May 21 st

J. Boyd got back from N. Y. yesterday. He was admitted to the bar. Today he said "You should have seen the look on Alderman's & McDonald's faces when I told I was admitted to the bar in New York. They

were suspects. Aldermen wanted to know if there was some kind of reciprocity."

Boyd then went on and lamented about how he felt he couldn't ever talk to the other justices (except Adkins, + sometimes not even him). He said I just don't seem to communicate with them + I'm not even sure they communicate with each other.

He said that he never had the problem before with all the other groups of people he's worked with. He could discuss things even with political rendrie.

He gave me a key to his beach house for the retreat aides' party Sunday. He explained how to operate his motorboat + pick up his sailboat.

Today There was a going away party for Ted. Last night the research aides had a going away party during happy hour + dinner, & I just started to bear drinking again at work. I spoke a lot with Pat Leary. He said Sandbery still hasn't made up his mind as to whether he's leaving.

Monday May 24

The party yesterday at Shelfpoint went real well. Picked up a couple of tidbits of gossip. We talking with Barbara - she mentioned how nice Justice Boyd - She agreed with me that Adkins, Boyd + McDonald were pretty friendly to all of the aides. She said Sandbery was real uptight + acted as though you didn't exist. Agreed Overton was pompous + that Aldermen was extremely reticent.

Later when Barbara + I were talking with Dottie. Dottie mentioned that it was much nicer to have a party without the justices, that except for Boyd, they don't socialize very well.

Jerry Wagman, at one point during a discussion on the lack of security at the court, mentioned that J. Ehrlich carried a gun to + from work. He said Ehrlich carried it with him when he took his walks downtown at night.

Tuesday, May 28

Today a research historian from archives, Pat (~~Carol~~) Whitaker, came over to talk to J. Boyd + I about our history. She is preparing an interpretative history for the newly renovated Old Capitol Building. J. Boyd told her about

on project + then took her to the courtroom to meet Robbie Overton, who was setting up his cameras to take the Justices photograph. Boyd left & I stayed while she asked Robbie about getting copies of his negatives.

At one point Robbie's father J. Overton came in to ask Robbie something. After standing around awhile, Robbie told him to get his robe on. Pat said to me, he's bossy isn't he. Then J. Overton explained he was Robbie's father. Robbie said yeah he's my father so I can boss him around. I can also put my arm around him + he did so. I was shocked by the warmth of the gesture. As much as I find J. Overton pompous and arrogant, I must admit he seems to make a warm + caring father.

Pat + I then went to my office + I told her about the source I was using.

In the afternoon I went over + talked to Adella Moore in archives about the sources they have there. She was the one who organized the interview for Gov. Graham's oral history night. We talked for about two hours.

Yesterday I hear from Rich Cop, that Playboy magazine publishes a letter lauding J. Boyd's genius on the Free-Speech amendment case.

I forgot to mention it to him today.

When I went downstairs to get my milk for lunch, I saw Dottie Davis + J. Alderman having lunch. Dottie said hi but J. Alderman didn't say anything. He never does seem to say anything unless he's been asked a question directly.

Friday, June 25

This morning I answered the phone to find J. Boyd was calling to say he wouldn't be in until around noon. He then asked if anyone else was in. When I said I didn't believe so, but I wasn't sure, he said "Well no one is listening in." I said I was sure not. He then proceeded to tell me in the strictest of confidence that J. Sundberg had decided to resign + was going to announce his resignation after giving the state of the judiciary message to the Florida Bar Convention to be held at Walt Disney World in a couple of weeks.

He then said he had lunch with J.

Child the other day and told him about the recent history of the Court. Boyd said he told Child about the McCain affair and explained how Sandley, Campbell + Overton refused to recuse themselves in McCain's disbarment case, even though Justices Adkins, Boyd + Roberts had. He said Child expressed surprise that a judge who sat with another judge wouldn't recuse himself.

July 7, Wednesday,

Yesterday I went upstairs to talk to J. Boyd about a case, I found him shooting the breeze with Nancy + Jim. We talked about ex-presidents Johnson + Nixon. Boyd said he believes Nixon will be better thought of in the future.

We then talked about the newspaper article about J. Sandley. Boyd took issue with the view that Sandley was a liberal with regard to freedom of press. Boyd said that when the issue of allowing cameras in the courtroom came up, Boyd + Adkins were immediately for it, but that Sandley wanted there to be a one year test period.

Today I noticed J. Adkins asked Brian Polley for a copy of an editorial in the Miami newspaper. Later I read it. It criticizes Adkins for teaching seminars on trial tactics. The article made a distinction between judges teaching courses on what the law is + teaching courses on how to present a case.

Saturday July 10

On Thursday I ran into Justice Adkins reading the newspaper in the library. I told him I noticed the article about him in the Miami paper. He said there was another, similar editorial in that day's St. Petersburg Times. I asked him why he was suddenly getting all of this flack. He said just some reporter had gotten a notion to make a big fuss + present only one side of the story. He explained he was being hired to speak at these seminars + that he gives pointers on how to prosecute and how to defend DUI cases. The editorials only mention his giving pointers to defense lawyers.

On Friday I had to sign an evaluation form, first one I've seen since working at the Court. Justice Boyd had given all of us the highest marks possible.

Monday July 12

Yesterday we had a party at J. McDonald's office. Jr. Overton came with his son, Abby. ~~who is going to law school at U.Va.~~ Justice Alderman, Adkins & Boyd came with their wives. Also present were Pat Leary & her husband, Bitti Davis and his family, Jerry Wagner and his family, Rick Boyd, Barbara Yates, Mike Olafson, Jane Schaff & her husband, & myself.

When I arrived, a volleyball game & croquet game had just gotten in progress. McDonald, Overton & Alderman were playing volleyball. Adkins & Boyd had not yet arrived.

After the game was over, it began to rain. Most of the adults split in two groups & began playing a card game called Hearts.

I went into living room where Mr & Mrs. Alderman, J. Overton & his son, & Ann Boyd were sitting. I talked a little with Ann about horse farming & the housing market in general. I overheard Overton talking to Alderman about some legal subject.

I asked Overton if he was through already with school. He explained that he was getting his LL.M. at the University of Virginia. He is attending a two summer program designed for practicing judges though there are some full time students who are attending. He's taking three courses on constitutional law problems, economics and the law (the toughest course taught by an economics professor who is on the law school faculty) and ethics (a belief)

He said they broke 3 hour class on August 10, 11 & 12. I enjoyed talking to him about it & respect him for his efforts. It was the first extended conversation I've had with him.

Soon Adkins & Boyd came in the room and subtly began needling him. Boyd said there was no need for Overton to go to school, since he & Adkins could teach him about the law. Overton listened quietly, not betraying any emotion.

After dinner ~~not everybody went out to play some more volleyball. I went in~~ to J. Adkins was walking through the dining room where I was sitting. Rick Boyd asked him if he were still walking in the morning. Adkins said yes. Rick said he casually glared Adkins at the cemetery. Adkins explained he walked by the graveyard to remind himself to keep walking. He explains he walks 3 or 4 miles a day. Somebody

explains he must have to get up early. Adkins said when he first wakes up in the morning, he doesn't dare tempt fate by closing his eyes again.

After most people went outside to play some more volleyball, I went into the living room to talk with Justice Adkins + Boyd + their wives.

Adkins was joking about how he should make an announcement that he was going to start working part time defending D.U.I cases. His wife said that with the extra money he made, they could buy the Miami Herald.

They then got into a discussion on the influence of newspapers. Adkins explains that when he was chief justice, he received a lot of criticism. He said he had to attend a banquet where several newspaper awards were being given out. All of them went to reporters ~~who had written~~ for their stories criticizing the Court. When Adkins got up to speak he said, "You know the banquet proves that around every dark cloud, there's a silver lining. If we hadn't been doing such a terrible job we wouldn't have anyone to give these awards to." He later said that at another meeting of newspaper people, he said, ~~"I'm all for newspaper accounts but see the~~ that the newspapers didn't like the Court and that the feeling was mutual.

Mr. Ott told Boyd "You know Joe, when you first started saying Acker was in a conspiracy to get us off the court, I didn't believe you, but late I came to think you was right." He explains Acker ~~was~~ + he got along all right until the first time they disagreed about something.

They followed some general discussion criticizing Acker + ~~Bing~~ mocking his efforts to run for President.

At this point Mrs. ~~Ott~~ McDonald came in. Boyd was in the middle of telling the story about how some anonymous letter had once been published in the newspaper, accusing J. Ervin of having had a torrid love affair with a 70 year old woman + accusing Sam Boyd of being a ~~fag~~ fag by women. Boyd recanted the story to Mrs McDonald + explained that when they found out who the author was, they came up and

apologize. Boyd said they were private detectives from Miami. He then told Mr. McDonald that Asher (the implication being Asher had been involved in this) was a friend of Parker Lee's. He explained that Asher had on several occasions passed over McDonald to appoint ~~[illegible]~~ others whose only qualification was that they agreed with Asher. Mrs. McDonald murmured, "I don't know about that. It's all water over the dam", Boyd said "Damn what?" smiled at the poor attempt at a pun. Mr. McDonald left the room.

She soon returned and asked if we would like to see her living room since her piano had been removed. (It was being refinished) As we moved to the other room, J. Boyd took me aside + asked me what I thought of J. Adkins. It seemed to me he was saying, "Lee, what I've been saying hasn't been crazy. J. Adkins believes as I do."

After viewing the other room, J. Boyd asked me if I would accompany him on a walk down to Lake Jackson. We walked a ways as the level of the lake has significantly dropped this past year. He went on great detail explaining how Justice Adkins wasn't a member of the U.S. Supreme Court Bar, even a member of the Dist. Ct. Bar in Gainesville only, and had not written any law review articles, yet was known for working on these legal books. (J. Adkins + his wife left professing ~~the~~ but one more work to do on his book.) Boyd said Adkins wrote the books solely to make money, ~~[illegible]~~ indicating that he Boyd had done the other things for this own sake.

As we walked back to the house, J. Boyd explained how he wanted to buy a home on Lake Jackson, but that Ann was afraid of water moccasins. Boyd said he saw into sandbar, who said there weren't any moccasins out there so he took Ann to talk with the guy. The guy said, "No ma'am ~~[illegible]~~ there aren't any water moccasins out there. It's the damned rattlesnakes that scare me." So they ended up buying a house in Killearn.

When we got back, L + Ann left. I went back outside + played another game of volleyball. McDonalds + Overton were enthusiastic players. Alderman could hit the ball, but wouldn't jump for it.

When Ruth Ann McDonald's daughter was serving for the other side, she won a few points. Then she failed to hit her serve over the net. There were a few cries from her teammate that everybody had agreed women could serve twice, apparently for the benefit of Mrs. Alderman who was unable to hit the ball over her net. J. Alderman was on my side and exclaims that the rule didn't apply to anyone who had already scored points. I thought he was joking but the other side took him seriously and gave us the ball. As we began to rotate, I looked across to J. Alderman expecting him to explain his joke, but he didn't, which indicated he wasn't joking. I turned back + looked to J. McDonald + said "I can't believe were letting us get away this." The next time Ruth Ann was up, she scored one point before failing to hit her second serve over the net. McDonald said, "That's three point according to the Alderman rule," and play resumed accordingly.

After the game, which we won easily, we returned to the house for watermelon.

All in all it was a very enjoyable party. I regretted seeing Alice + Boyd were being able to control their personal animosities + spend their time dwelling on their unpertanent differences. It only served to increase the personal animosity existing between them + the other guests.

The dinner was delicious consisting of smoked turkey, corn casserole, squash casserole, baked beans, potato salad, deviled eggs, + jello with strawberries + whipped cream. There was a delicious carrot cake for dessert.

Tolley J. Alderman's office held a reception in honor of his becoming Chief Justice. Two tables were set up ~~in~~ in the rotunda with sheet cake on depicting the Supreme Court building the otha the seal of Florida, and mixed nuts. At one of the tables Dottie + I ~~and~~ were serving a punch made of Lime Sherbert + Canadian Dry Ginger Ale. It was delicious. I stood behind them + talked with some of the other ~~ones~~ most of the time. Most of the guests were employees who worked in the building + employees of the Florida Bar.

Jerry Nelson pointed out a man he identified as Circuit Court Judge Jaglen, whose son will be taking Rick Bezold's place this summer as clerk to Justice McDonald.

Sunday - August 1, 1982

The court began its 4-week recess last Monday. I worked upstairs for the week. On Monday, ~~I received~~ a couple of memorandums from Chief Justice Alderman's office were delivered to our office. One ~~mentioned~~ listed 7 or 8 cases that had been sitting in our office for over 6 months. The other stated that because of budget restraints, there wouldn't be any promotions or new hiring for the fiscal year 1983. I was quite disappointed since I had been looking forward to being promoted to Law Clerk III in November.

Because of the recess, most people are gone. Chief Justice Alderman's office seems the busiest. ~~Except~~ Dottie, Linda (the two girls) + Callie, (the secretary) have all been there.

Both Fred + Pat Lacy (Lindsey's aides) have left the week) Lindsey has been around cleaning out cases in his office. It seems as his vote starts, he was disagreeing about everything.

On Friday, J. Boyd called to say he was back from visiting the Noel's in + Disney World. ~~He finally began~~. After telling me about his trip, he abruptly changed the subject, telling me that he has decided he was no longer going to cooperate with his enemies. He ~~then~~ asked me if I thought Alderman was becoming + Mother Overton a McDonald hated him most. I ~~then~~ said that I really didn't

know. I told him about the two memos from Alderman. He said that we will have to get our work out, that nobody would have a right to complain about us as long as we did our work.

He then told me I

I then told him he had been appointed to the Judicial Administration Committee. He said he didn't see why he should be on it since he would never be Chief Justice and that he was thinking about telling Alderman that.

He then said that a few weeks ago Alderman appointed him to the Supreme Court Historical Committee. Boyd told him why bother, that there wasn't anything the Committee could do. Alderman said it could work with the Supreme Court Historical Foundation. Boyd said the Foundation was a joke, that we had written them twice & never got a reply. He said Overton was on the Foundation & he hadn't been helpful. Overton Alderman asked Overton about the Foundation & Overton explained that it hadn't met & hemmed & hawed. Lindley asked if the Foundation had ever gotten its tax exempt number yet. Overton said no, Lindley said then it just

or name only. Lindley said that since he would have more time when he left the court, he would get the Foundation going. He explained there was a historian the Foundation could hire to do the actual writing since Boyd & I had done the research work. That comment incensed Boyd.

Boyd said there had been another incident which he felt was a slap in the face. He said that since he's been on the Court he's tried to get cushions for the spectator & lawyer's benches in the courtroom. Last year he finally got $400-$1500 for the cushions to be put in the budget. At one of the recent conferences Lindley said he did come calling & found out that holes would have to be made in the benches to put the cushions on. Boyd claimed that wasn't so. The court voted 4-3 not to buy the cushions.

Hon J. Alderman proposed that the money be spent for portraits of Boyd & Ellis. Boyd & Ellis objected saying they didn't want the money for the cushions to be spent on them.

Wed. Aug 11

Last Wed. J. Boyd came to the office to discuss the matter of the J.A.C. When I asked him exactly what the J.A.C. was he explained that several years ago a state senator tried to get some information from the State Comptroller's office concerning the expenses of the judiciary. When he couldn't obtain the information, he sponsored some legislation creating the Judicial Administration Commission (J.A.C.) which would become responsible for overseeing fiscal matters. He claims they did a pretty inadequate job. One time there was a circuit judge who took several out-of-state trips and had the state pay for them. Later these were routinely approved by the J.A.C. Later when the press began printing articles about it, the J.A.C. decides to launch an investigation. The circuit judge expressed a willingness to cooperate & repay the money. Nevertheless, disciplinary proceedings were brought & he was disciplined by the Florida Bar.

One of the items on the agenda was increasing the executive director's salary. I asked Boyd if this was done. He said everybody agreed she was entitled to it, but that they couldn't because of the state of the budget. He went on to explain that originally when the executive director was named the same as the clerk of the court. Then Ed White got a raise & Lenora Martin (?) became the 1st woman executive director. He says the disparity in salaries is a result of sexism.

After the meeting Josh (our senator) told J. Boyd there were some folks who needed his vote. I went over & started discussing them & giving him my case for election. On most instances he would agree & initial the vote sheet in the way I suggested. The one exception that comes to mind is a D.A. Bar case where an attorney was going to be privately reprimanded for threatening his brother's probation officer. J. Boyd read the transcript where the attorney denied making the threats & decided to believe the attorney's version instead of the probation officer's.

Today J. Boyd came in because he was scheduled to speak to the 4-H legislature & asked them in. We went over to the Chamber of House of Representatives where

they were going to be meeting. Because of some problem with the microphone at an earlier meeting, the members of the 4-H legislature were ½ hour late in arriving. While we were waiting, J Boyd told me a story I heard several times before. When he was running for election Supreme Court justice there was a lot of criticism that he had never been a judge. He would explain to audiences that that wasn't true. He had been judge at the Miss Apple Blossom contest. He would explain that the experience made him several cuts judging for awhile because a big fat fight ensued after the contest.

The other aspect of the story he never disclosed publicly was how he convinced the other two judges to vote for his choice. At the end the other two judges wanted to select the taller, & apparently better looking woman, J. Boyd wanted to select the shorter woman. When they asked him why he explained that she was real, that was she wasn't wearing falsies. The other judges asked him how he knew. He said he could tell when they walked by, the shorter women's breasts would wiggle like jelly whereas the taller womens breasts would remain solid like rocks. So the judges asked the finalists to walk by one more time whereupon the other two judges agreed that J. Boyd was right.

He gave a short interesting little speech to the 4-H Legislature. He made the following points;

1. How a prerequisite for civilization is the rule of law
2. How everything that is is a result of someone's working or paying for it (e.g. someone had to pay your way to see Star Wars)
3. Everyone should strive to make some contribution to society which would be remembered after they have died.

Back at work we again went over some opinions that needed his note. I had spent the morning reviewing the cases & synopsizing their issues. He followed all but one of my suggestions

Sat. Aug 21, 1954

Last Thurs. the aids went to Majin's (a cocktail lounge on Adam's Street, one block north of the Capitol) as a last get together for Rich Boyd, Martin Proctor, + Charles Cotapos who are all leaving ~~also present~~ Other aids present were Overton's new aide Mike _____ (?), Linda Hatley, Barbara Yates Jerry Wayman and myself. McDonald's daughter Ann and son Robbie also came. Ann Miss Petrovich (?) + her husband Peter, who work in the basement, were there for awhile, but left early.

Ann tells me she will start work in the Clerk's office before J. England hires her to work for him when he becomes Chief Justice, after that she works for C.J. Lindley + now C.J. Alderson as a secretary. She said England was a brilliant man who was very quick. He always wants things just so. But she said, you know what he wants. She described Lindley as moody + Alderson as mellow. Her husband popped in + told a story how he came upstairs + delivered a report. When he finished Alderson looked up + said, "That's it." so he left.

Jerry + Rich were talking about how most of Buddie McDonald + Chelich seemed to be coming. They said one always seemed to be visiting the other. Jerry said McDonald was always so loud when he came visiting. Rich Ann said that some of his grandkids call him pop, grandpa or anything like that. Instead they call him "Boom, Boom."

Jerry mentions a bizarre case that is going to be argued next month. One man's wife had purchased a lot of insurance on his life, planning with her brother to kill him. He called the insurance co. + asked them to cancel the policy because of the threats to his life. The insurance co. did nothing. The wife, her brother, + a couple of others assaulted the man, but in the process of finishing him off + dumping his body, the police happened along + saved his life. The man is now suing the insurance co. Jerry said two judges, Chelich + McDonald, voted not to grant the petition for review. He noted they both had worked for insurance companies.

Wed. Aug. 25

Today J. Boyd came back from his one week vacation to Spain. I went upstairs to talk to him around 9 A.M. just after he got in.

The first thing Nancy did was when she came in just about the time I walked in the office was mention to J. Boyd that we had received copies of our article in the University of Miami Law Review (Sept. 1981 edition) about the history of the Supreme Court. Boyd gave Nancy one copy & said, "This is for you for the work you've done in helping get it out." She replied in a genuinely flattered manner "Why, Thank-you." As he grabbed one more copy, he said to me "Come on let's give all the other judges a copy."

Just as we stepped out the office door, we ran into J. Lundberg in the hall, as usual with a pipe in his mouth. Lundberg attended one hand to Boyd & asked him how his trip to Spain was. Boyd quickly answered "very nice," & went on to give him a copy of our article. Boyd told him that we had written some terrible things about him, like how he had gone to Harvard. He went on & said that he saw a black guy on T.V. last night talk about how since only one of 75 professors at Harvard is black, it made George Wallace look like Martin Luther King. Lundberg said that's right. Boyd made another comment about Harvard & Lundberg said "Yes I've got silk stockings." He as he walked into Overton's office.

We followed him in. Boyd asked Overton if he had learned anything at school & ~~he repeats his line that he attends~~ Overton started to reply pointing out the textbook he used which were piled on a table. Boyd didn't pay any attention & quickly launched into his spiel "Here's the article on the History of the Court that came out in the University of Miami Law Review. We didn't mean to say all those awful things about you but the people down there got hold of our private notes." Overton replied, but coldly, thanks him.

We next dropped off a copy at Aldrich's office. He wasn't in.

Next is McDonald's office. He was sitting in his secretary's office. Boyd repeats his speech about saying bad things about McDonald. McDonald's reply was curt.

Then we went to Chief Justice Alderman's office. When we entered Callis's office we could see Alderman through the open door. Boyd asked "May we approach the throne" Alderman had the reference to stand up. When Boyd explained about the article, Alderman asked us to sign it. I was quite surprised + genuinely pleased.

Then we went to Ehrlich's office. Boyd told Ehrlich that we asked them to delay publication just so we could mention him. He also stood up + asked Boyd about his trip. Boyd said he had a great time, that he got along quite well with the Spanish he knew.

He then said, "The only problem I had understanding anything was this morning. When I got out of the shower, my wife told me that the marines had gone a 'shot'. I asked her what. She said in Beyrout (Beirut - A recent crisis occurred + the PLO was in the middle of pulling out).

I said what are the marines doing a shoot in Beirut for when there's all that fighting. ~~The explosion~~ I was thinking of the marine in parade dress was putting on some kind of show. She said not a show. You was a marine. You know what I'm talking about. The marine was on a ship and they went a shot in her thick Southern accent."

Ehrlich chuckled + said he went to a convention of ex-marines + that a lot of them were asking about him.

We returned to Boyd's office where Nancy + around 10 A.M. joined us. Boyd told us all about his trip, visiting the cathedrals, the parks, and the malls.

He bought Nancy a necklace with a medallion + Jim + I slippers called

Capitol. They look like moccasins. He mentioned several little historical insights which he had picked up & some which he had known before hand.

He mentioned how the Democrats had run the Democrats out of the county in 1892 & because of that they have suffered economically since then, being so industrious, are the core of any business community.

He talks about Col Dorr & his famous painting (which was illustrated recently in Smithsonian) on the basis of Court cowboy Boyd said that the little boy in front is supposedly Col Dorr's illegitimate son.

We broke up around 11 A.M. & I went back to work.

Around 12:30 Boyd buzzed me & asked if I wants to go to lunch. I said sure. He took Jim & I to the cafeteria in the basement of the Capitol & treated us to lunch.

He told us that if we ever wanted to run for office, that we should film all of our television spots early in the campaign when we looked fresh. He said you should look directly in the camera & pretend you are talking to a real close friend.

He talks a little about the Lewis-Haber campaign for Comptroller. He said it was a shame it had gotten so dirty but that politicians were a mean bunch who often destroyed each other.

In the office

Earlier Boyd told me & Nancy about the extreme effort he made in ordering food in Spain. It seems that he wouldn't get anything hot. In Spanish he would tell them "no hot, no peppers no pimentos etc;" He says that the least little bit of spicy food keeps him up all night.

Friday Aug. 27

This morning J. Boyd buzzed me & asked if I wants to attend the Fair Bay Luncheon Club luncheon with him & Jim and hear Harold Lewis and Ralph Haber, candidate for comptroller. Harold & told

him that I had planned on swimming during my lunch break but that I would like to hear him. He tells me to come afterwards and the speeches probably wouldn't start until after lunch.

At 1 P.M. I drove to the Silver Slipper at the Northwood Mall. I stepped inside the ballroom crowded with guests, news reporters + a few television cameras as Richard McClain was introducing Lewis. Lewis began attacking Haben for instigating what has become quite a mudslinging campaign and the crowd started to boo him. He soon sat down. Haben began with a few quick, witty retort which the audience applauded. His speech was much more effective and forceful, though its substance was just as meaningless.

When I got back to the Court a few minutes before 2 p.m., I went upstairs to hear J. Boyd's impressions. He was sitting in Nancy's office talking to her + Jim. He asked what I thought. I told him it was pretty one-sided that the audience was really against Lewis and for Haben.

He said for good reason. He thought Lewis made a big mistake attacking Haben when he was supposed to be introducing him.

He then said that the campaign reminded him when a few years ago in South Florida some horned toads had gotten into the state from South America. He says that bit them would die from their poison. He said that Lewis was the dog + Doyle O'Connor, the Commissioner of Agriculture was the toad. Lewis has recently been investigated by O'Connor and believes O'Connor will now carry his weight politically over behind Haben.

Boyd then mentioned that the biggest mistake he saw made in a political campaign was done by Judy Lawrence when Boyd was running against him for Supreme Court Justice. Boyd said that the two of them were scheduled to speak in a meeting in St. Petersburg. Judge Lawrence got up first and was badly told the audience that he had practiced in St. Pete for 25 years + most of them knew + he would appreciate their support.

When he got up the television crew came in & began setting up. Instead of continuing to take advantage of the coverage, Lawrence Powell sat down before filming began. Boyd got up & gave a rah rah speech that was televised across the region.

Boyd said one of the best political mottos came from Gov. Askew who said, "a politician should always be sincere, even when he doesn't mean it."

Boyd gave one last piece of political advice. He said he was in a parade in Davie Fla. riding in a jeep with another politician who just smiled & waved. Boyd did the same but he would also yell out "How are you doing Tom, Hi Harry" etc, etc." At the end of the parade, the other politician remarked how annoyed he was that Boyd could remember so many people. Boyd did not say, but clearly implied, that he only made up the names.

Wednesday Sept. 15, 1982

Today was J. Sundberg's last day at the court. At 10 a.m. coffee & cookies were served on the second floor as part of a going away party.

Several people were conversing & eating and didn't stop when J. Sundberg walked up with the clerk Ed White & J. Adkins. A few individuals went up to exchange pleasantries. Jan (J. Atkins secretary) said something about how we were all sad to be leaving. He jokingly replied "If everybody's so sad, how come they're acting so happy."

Later I went up when he was talking to Ed White. I told him that since the recession was in his honor I just wanted to congratulate him & wish him well. He said Thank-you and then asked me a question about when the Court went from 5 - 7 members. I briefly explained how the members fluctuate. He told me that he noticed at the old capitol that the bench seemed rather short. He also noticed that the only entrance to the Justices' offices was through the courtroom which he thought was strange.

Then he asked me a few questions about how my work was going + what I had studied history.

I should mention that several new aides have started work this past month. John Joplin [illegible] son of a Circuit Judge, is now working for J. McDonald. Sid White Jr., son of the supreme court clerk, is going to be working for Justice Adkins, but I have not met him yet. I hear he's been sick + hasn't started yet. J. Adkins other aide is Bruce ———. Next door to me is Tom ——— who is now working for J. Alderman.

A couple of weeks ago J. Boyd called me up to meet Lula Coffield. She was to be Justice Ellis' secretary, and Justice Adkins was showing her around. He praised her for her political activeness. He said that when he was in Gainesville, Clayton Jefferson clerked in his office. Jefferson who was planning on going to Tallahassee asked Adkins who he should see in Tallahassee. Adkins told him to see Lula Coffield. When he did, she told him to go work for a man named Terry Collins even if it was for free. He did so + later when Collins was Governor, he appointed Clayton Jefferson Judge of Juvenile Court. Lula said she was just lucky on that one.

Sunday, Sept. 19, 1982

Today we had a research aides' party at J. Boyd Shellpoint home. I went over early to get things prepared. J. Boyd, his wife, and his mother-in-law were there. J. Boyd showed me how to operate the jet ski. I took it out for a short spin. Terry Hayman, his wife + Mike ——— arrived just as the Boyds were leaving. John Joplin + his wife, Tom + his wife, and the interns (Harry, Carol, + Janice) were the only other persons who came.

J. Boyd was to make a speech at the dedication of the old capitol building which was taking place today.

Boyd mentioned he sat with Justice McDonald + Overton at the FSU-Pitt. game last night. Afterwards his son-in-law observed that Boyd + Overton didn't say

Tuesday, Sept 21

Today J. Boyd invited me to lunch at Brasserie of Capitol. He couldn't eat their chili or pick chicken so he had jello, hard boiled eggs, + skim milk.

While we were walking over I asked him how the conference went yesterday. He said I'll tell you one thing, there not be much yelling or arguing now that Sundby has left. He said that Sundby + Overton would usually dominate the conference, arguing with each other + ignoring everybody else. He said they both would interrupt others + often would not even respond when anybody else asked a question. He said England would join them when he was here.

Boyd concluded that he was getting paid the same salary whether he was a good judge or bad. So he would just do his work, familiarize himself with the case + the law so he felt he knew what was going on, + just sit back with his motto "Silence is Golden."

Boyd said he expects Judge Conant had a good chance of being appointed to the bench + that he would even dominate because he has that take charge personality.

Boyd told me that it began to rain at the dedication ceremony Sunday so they held it inside. He + others decided it would be better not to give their speeches because of the crowded condition.

I learned that the Bundy case has been assigned to our office and that Jim is doing the oral argument summary.

Saturday, Oct 10

I took last Monday + the preceding Friday off because my mother was visiting. On Sunday morning I went upstairs to talk to Justice Boyd about how his trip to Miami went. He said that his car was stolen in Paducah. Then after telling me not to mention it to anyone, he told me that part of the Bundy felt was in the trunk. He said he immediately called C.J. Allerman + the arrangements was made to have another set of copies made.

Yesterday he took me to lunch. We had a quick one since he had to be back within a half an hour to perform a marriage ceremony for Dick Varise (Barie?), a former research aide. Mr. Boyd had made since it was the guy's 3rd marriage